

REMARKS

Claims 1-20 remain pending in this application. Each of the pending claims is believed to define an invention that is novel and unobvious over the cited references. Favorable reconsideration of this case is respectfully requested.

Claims 1-20 have been rejected under 35 U.S.C. 112, second paragraph as being indefinite. Independent claims 1 and 15 have been amended to correct the informalities noted by the Examiner. In view of these amendments, it is respectfully submitted that all pending claims are now in all aspects in compliance with 35 U.S.C. 112, second paragraph. Therefore, the withdrawal of this rejection is respectfully requested.

Claims 1-4 and 10-14 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Number 5,238,129 to Ota or in the alternative over Ota in view of U.S. Patent Number 4,863,046 to Collette et al. Neither Ota nor Ota combined with Collette disclose, teach or suggest a vacuum panel having ribs with rounded edges facing both inwardly and outwardly as is now recited in the amended claims.

Independent claim 1 now recites that a plurality of ribs are within a vacuum panel. The plurality of ribs have either an outwardly facing rounded edge or an inwardly facing rounded edge, relative to a space defined by sidewalls of the container. At least one rib has an inwardly facing rounded edge and at least one rib has an outwardly facing rounded edge. For example, as is shown in Figure 2B, rib 12 has an inwardly facing rounded edge and rib 13 has an outwardly facing rounded edge, with respect to the container sidewall.

In comparison, neither Ota or Collette et al. disclose, teach or suggest a panel including a plurality of ribs wherein at least one of the ribs has an outwardly facing rounded edge and at least one of the ribs has an inwardly facing rounded edge. All of the alleged ribs shown in Ota and Collette et al. are facing the same direction.

Accordingly, it is clear that the cited references fail to fairly teach or suggest the claimed invention. Therefore, the withdrawal of this rejection is respectfully requested.

Claims 1-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Ota in view of U.S. Patent Number 5,381,910 to Sugiura et al. The cited references do not render the claimed invention obvious as they fail to teach or suggest a panel including at least one rib having an inwardly facing rounded edge and at least one rib having an outwardly facing rounded edge as is recited in the amended claims.

As noted above, Ota does not disclose, teach, or suggest at least one rib having an inwardly facing rounded edge and at least one rib having an outwardly facing rounded edge. Sugiura et al. does not supplement Ota to teach or suggest this feature. Sugiura et al. describes a number of ribs 21 extending parallel to each other that are transversely formed on the panel wall 8, as is shown in Figure 6 of Sugiura et al. The ribs 21 define crests 22 and roots 23. The ridgeline of the crest of each of the ribs 21 is set to the same height as that of the inner peripheral edge of the deformed peripheral groove 9 (see col. 10, lines 24-40). Accordingly, none of the crests 22 extend inwardly with respect to flat walls 6, panel wall 8, or sidewall 9. This can clearly be seen in Figure 5 of Sugiura. The crest 21, and roots 23 are simply the parts of the same rib, and not separate ribs, at least one having an inwardly facing rounded edge and at least one having an outwardly facing rounded edge.

Both independent claim 1 and 15 now recite that the rounded edge of the rib is outwardly or inwardly facing with respect to the sidewalls. For example, as can be seen in Figure 2B of the application, the rounded edges of ribs 12 and 13 face inwardly and outwardly, respective, relatively to the container sidewall. This feature is also shown in Figure 6B of the present application. In the embodiment depicted in Figure 6B, the inwardly facing ribs has a depth of about 2.1 mm and the outward facing rib has a height of 1.5 mm relative to the container sidewall. Both Figures 2B and 6B clearly show that the inwardly facing rounded edge extends into the container beyond the container sidewall, as is recited by the claims. This is opposite what is taught and suggested in Sugiura et al., where none of the ribs have a rounded edge that is inwardly facing.

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In view of the above, it is clear that the cited references fail to teach or suggest the claimed invention, therefore, the withdrawal of this rejection is respectfully requested.

If the Examiner is of the opinion that the prosecution of this application would be advanced by a personal interview, the Examiner is invited to telephone undersigned counsel to arranged for such an interview.

The Commissioner is authorized to charge any fee necessitated by this Amendment to our Deposit Account No. 22-0261.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

By 
Jeffri A. Kaminski
Registration No.: 42,709
Stuart I. Smith
Registration No.: 42,159
VENABLE LLP
P.O. Box 34385
Washington, DC 20043-9998
(202) 344-4000
(202) 344-8300 (Fax)
Attorney/Agent For Applicant